

REMARKS

This responds to the Office Action mailed on March 24, 2006, and the references cited therewith. Claims 2, 9 and 31 are canceled. Claims 1, 3, 5, 7, 10, 21 and 30 are amended. Claims 1, 3-8, 10-30 and 32-37 are pending in this application. Applicant does not admit that the cited art is prior art and reserves the right to swear behind such references at a later date.

§112 Rejection of the Claims

Claims 5 and 21-22 were rejected under 35 U.S.C. § 112, 2nd paragraph. Applicant has amended claims 5 and 21 to provide proper antecedent basis. Accordingly, Applicant respectfully submit that the rejections of claims 5 and 21-22 under 35 U.S.C. §112 have been overcome.

§102 Rejection of the Claims

Claims 1, 4, 7-8 and 30 were rejected under 35 U.S.C. § 102(e) as being anticipated by Freerksen et al. (U.S. 6,557,084) (hereinafter the '084 patent). The Office also indicated that "[c]laims 2-3, 6, 9-11, 31-33 are objected to as being dependent upon a rejected based claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims."¹ Applicant has amended claims 1, 7 and 30 to incorporate the limitations of claims 2, 9 and 31, respectively. Accordingly, Applicant respectfully submit that the rejections of claims 1, 4, 7-8 and 30 under 35 U.S.C. §102 have been overcome.

Statement of Reasons for Allowable Subject Matter

The Office Action indicated reasons for allowable subject matter. The Office Action uses the term "prior art." However, Applicant does not make any admissions regarding the prior-art status of any references in the record of the application. Instead, Applicant regards these references as only being "of record."

Additionally, Applicant submits that the Office Action makes numerous assertions regarding the interpretations of limitations of the claims, the contents of the art and

¹ Office Action at page 4.

distinguishing features of the claims. Applicant has neither verified nor accepted the accuracy of these assertions, and respectfully submits that there may be different interpretations that those identified in the Office Action. Additionally, Applicant respectfully submits that the relevant claims may be allowable for one or more reasons in addition to and/or in alternative to those reasons identified in the Office Action. Applicant reserves the right to further address one or more aspects of the reasons for allowance as may later be necessary or desirable.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 371-2103 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By his Representatives,

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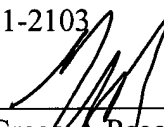
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Date

6-26-06

By


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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 26 day of June, 2006.

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